

Naples City Council

October 25, 2012

Minutes

The regularly scheduled meeting of the Naples City Council was held October 25, 2012, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

Council members attending were Dean Baker, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds. Robert Hall was excused.

Others attending were Jim Harper, Nereh Sewanh, Ryan Cook, Amy Cook, Landri Pace, Heather Pace, Nick Jones, Dakota King, Britt Harper, Mitchell T, Eldon Harper, Kathy Harper, Josh Hunt, (?), Micah Young, Cody Houghton, Matt Schwarz,, Martha Denzer, LeeAnn Denzer, Rayne Hadlock, Troy Dunsmore, Bob Dunsmore, Dale Harrison, Bret Stringham, Madyson Lund, Katelyn Bradshaw, Tanner Merkley, Ashleigh Crombie, Steven Vanesian, Kylee Postma Caleb Hunt, Boady Floyd, Baylee Murray, Suzie Martin, Mark Watkins, Chris Hoem, Connie Patton, Craig Blunt and Nikki Kay.

At 7:30 p.m. Mayor Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Gordon Kitchen offered the invocation.

Mayor Baker asked for approval of the agenda. Councilman Long wanted to discuss something under 'Other Matters'. Dan Olsen **moved** to approve the agenda with that addition. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Mayor Baker asked for approval of the minutes of the October 11, 2012-regular council meeting. Dennis Long **moved** to accept the minutes. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Mayor Baker asked if anyone had anything to discuss or follow up on from the previous meeting. Nothing was brought forward.

Connie Patton presented the bills in the amount of

DATE, TIME & PLACE OF MEETING

COUNCIL MEMBERS ATTENDING

OTHERS ATTENDING

OPENING CEREMONY

AGENDA APPROVED

MINUTES APPROVED

FOLLOWUPITEMS FROM PREVIOUS MEETING

APPROVAL OF THE BILLS

\$43,720.19 and asked for approval to pay them. Dennis Long **moved** to accept the amount of \$43,720.19. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Nick Jones, director of the Utah Local Technical Assistance Program (LTAP), came before the Council to present two Naples City employees with awards for completing the Road Scholar Program. Mr. Jones explained the program and the classes Jim Harper and Ryan Cook completed. Mr. Jones presented the awards to Jim and Ryan and the Mayor and Council congratulated them on this accomplishment.

***UTAH LTAP AWARD
PRESENTATION***

A business license application was received from **Naples Subway** located at 2537 South 1500 East. Mayor Baker asked if Craig was good with everything on this business. Craig said yes. Kenneth Reynolds **moved** to approve the business license for Naples Subway. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye.

***BUSINESS LICENSE
APPROVAL***

A business license application was received for **Vetco Gray** located at 1228 East 620 South. This business is located in the Winder Industrial Park. Craig Blunt said the Fire Marshall has been into the building and said it is ready to go. Craig said they rebuild pumps and test the pressure. Dennis Long **moved** to accept the business license. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Craig Blunt submitted a travel request to attend the Utah Manager's Conference in Provo. Craig requested \$30 per diem and \$30 for the registration. Dan Olsen **moved** to approve the travel request of \$60 for the City Manager. Dennis Long **seconded** the motion. The motion passed with the following vote:

TRAVEL APPROVAL

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye

Kenneth Reynolds Aye
Gordon Kitchen Aye

Gordon Kitchen **moved** to go into a public hearing to discuss the Dinosaur Diamond Scenic Byway. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***PUBLIC HEARING FOR
DINOSAUR DIAMOND
SCENIC BYWAY***

Chris Hoem explained what the Dinosaur Diamond Scenic Byway is and the area that it covers. Chris said the Byway was created when most of the cities didn't know it was being created. Chris said it was created for economic development but the City has not seen much benefit from the byway. Chris explained there are restrictions placed on the byway because it is a national byway and is federally regulated. Chris stated that one of the restrictions is a business not located on the highway cannot share an advertising sign with a business located on the highway. Chris reported that the City has received two requests from businesses wanting to place off premise signs on the highway but the byway prohibits this. Chris said he and Craig have met with the scenic byway's committee members and they didn't have any problem with the City's desire to de-designate the highway or sections of the highway. Mayor Baker wanted to know what signs were going to be allowed if they choose to de-designate. Chris said the sign ordinance says no new billboards, they will just be allowing businesses in Naples to have off premise advertising signs for their business. Mayor Baker asked if there would be limitations on the size. Chris said there would be and the Planning Commission would need to change the sign ordinance a bit to regulate those signs. Dale Harrison, Chairman of the Planning Commission, said one of the things that has stopped the decision to de-segment has been the potential of getting money for being part of the byway but he said the Byway Committee told them there is no money available. He said their budget was cut and they don't have any money for grants. Chris said it is possible for the scenic byway to expand beyond the corridor of the highway and the City could lose even greater control if they don't make a decision. Councilman Reynolds said the Planning Commission should get the sign ordinance together and then make the decision to de-segment. Council members wanted to see the Planning Commission work on getting the sign ordinance updated before a change is made. Dennis Long **moved** to go out of public hearing. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Kenneth Reynolds **moved** to table the decision to de-segment portions of the highway until the Planning Commission can redo the sign ordinance. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

Craig Blunt said one bid packet was picked up for the reconstruction of the driveway on 1700 South but none were returned. Craig said it is a small project and no one wants to take it on at this time. Craig recommended putting it out for bid one more time because it is required to have two advertisements before he can contact people on his own. No action was taken.

Mayor Baker opened the bids received for several surplus items that were advertised in the newspaper. Mayor Baker read a bid from Howcroft Field Services in the amount of \$800 for concrete culvert boxes. The next bid read was also from Howcroft Field Services for the pumps in the amount of \$200. Ryan Cook bid on several miscellaneous items and Mayor Baker asked Craig to check the item numbers and get with Ryan on how much he owes. Dennis Long **moved** to approve the two bids from Howcroft Field Services and to leave it to Craig's discretion on the other bids. Dan Olsen **seconded** the motion. The motion passed with the following vote:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

The City advertised in the Vernal Express for janitorial services at the City office. One bid was received. Mayor Baker read the bid from Logan Monsen for the amount of \$435 per month. A discussion was held about whether or not a background check would be required. Gordon Kitchen **moved** to approve the bid contingent upon the applicant passing a background check. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

***BID RESULTS FOR 1728 E
1700 S DRIVEWAY***

***BID RESULTS AND
ACCEPTANCE OF BIDS
FOR SURPLUS ITEMS***

***BID RESULTS FOR
JANITORIAL SERVICES
AT THE CITY OFFICE
AND AWARD OF BID***

Craig Blunt brought the Council the cost estimates they requested to fill in the sidewalk on 1000 South. Craig also gave them the cost to complete an entrance into IFA from 1000 South. Craig gave them an estimate of \$111,320 to remove the plant strip on the south side of 1000 South from Hwy 40 to 2000 East and fill it with concrete. The amount to build an access off of 1000 South into the IFA property was \$24,308. Craig said this information was for budget purposes only and because the Council asked for the cost. Mayor Baker said he would really like to see the access from 1000 South completed because so many residents use that side to enter or exit IFA. Councilman Olsen asked if the completion of the sidewalk could be completed in phases. Councilman Kitchen thought it was an expensive way to control the weeds and he understands that people want to use the sidewalk as a walk path but there are many areas in the City, with more residents, that do not have sidewalks. This was for informational purposes only, no action was taken.

***COST ANALYSIS FOR 1000
SOUTH SIDEWALK AND
ENTRANCE TO IFA***

Chris Hoem asked the Council if they would consider moving the discussion regarding QC Testing forward on the agenda to accommodate those in attendance. Gordon Kitchen **moved** to move forward items sixteen and seventeen on the agenda. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

***MOTION TO MOVE
DISCUSSION REGARDING
QC TESTING FORWARD
ON THE AGENDA***

Chris Hoem referred the Council to the maps in the packets showing the development proposed by Bob Dunsmore for QC Testing. Chris said this would be located in the commercial zone but it will be in the middle of residential homes. He said this is not be a typical industrial business but would be an office with a lab where they test soil. Chris said the business will have landscaping, a retention pond, a privacy fence on all sides, a gate in the front, ample parking, the required southwest facade, and directional lighting. Chris feels they have tried to cover everything and the owners have met twice with the Planning Commission. Mayor Baker wanted clarification on the zone and the permitted uses. Chris said the business fits in the zone and has met all the requirements. Chris said the Planning Commission recommends approval. Chris brought forth the development agreement at this time which was item seventeen on the agenda. Chris said the business would normally be required to put in curb and gutter but there is no curb and gutter on either side of them. Chris stated that if QC Testing were to put in curb and gutter at this time then it would flood the neighbors on either side. Chris said the development

***APPROVE FINAL PLANS
FOR QC TESTING***

agreement states that if, in the future, either neighbor puts in curb and gutter then the owner of this property would be required to put in curb and gutter. Chris said the agreement would be tied to the property and would be recorded in case the property is ever sold. Mayor Baker wanted to know what happens to the neighbors on out from them. Dale Harrison said the Planning Commission also discussed that and said if the City continues to develop out Hwy 45, where there is no curb and gutter, decisions will need to be made. Chris said he doesn't see curb and gutter going in along there as long as they have the existing homes. Mayor Baker said this is a state road and would be regulated mostly by them. Mayor Baker said the Planning Commission might have to consider exempting existing property from this requirement, especially if it is along a road governed by UDOT regulations. Mayor Baker didn't think this agreement was even necessary because he didn't think the City could require a sidewalk in the State right-of-way. Dale Harrison thought they could exempt Hwy 45 but wouldn't want to go beyond that. Council members were in consensus that an agreement was not necessary, but a change in the requirements might be. Dan Olsen **moved** to exempt Hwy 40 and Hwy 45 right-of-ways for sidewalk requirements through the commercial zone. Kenneth Reynolds **seconded** the motion. Craig Blunt just wanted to remind the Council that UDOT has taken the stance that the City is responsible for anything back of curb along the highway. The motion passed with all voting aye on roll call.

Council members moved back to the discussion for QC Testing's final approval. Dale Harrison wanted the Council to know that the privacy fencing will not go to the full property line but will be just the length of their development. Dennis Long **moved** to approve the final plan for QC Testing. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

Kenneth Reynolds **moved** to go back to item thirteen on the agenda. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Chris Hoem reminded the Council that changes were made to the zone for the Farm Subdivision and because of that there needs to be a change to the Naples City zoning map. Chris said this change only affected the Farm Subdivision and made it an R-1. Dennis Long **moved** to accept the zoning map change (Ordinance 12-147) and to make the change

***MOTION TO GO BACK TO
ITEM 13 ON AGENDA***

***ORDINANCE 12-147
AMENDING THE NAPLES
CITY ZONING MAP***

from an RA-1 to an R-1. Dan Olsen **seconded** the motion. The motion passed with the following roll call:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Chris Hoem told the Council that there had been some talk about increasing the minimum lot width in an R-1 zone and the minimum lot area in the R-1 zone from 80 feet wide lots to 100 feet wide lots and from 8,000 square feet to 12,000 square feet. Chris said the Planning Commission discussed this and discussed a small change to the special provisions section. Mayor Baker said no change is shown in the Chapter. Chris said that is because the Planning Commission had a majority vote to leave it as is. Chris said the reason was to keep a little variety in the City and to allow for affordable housing in the community. Bret Stringham said he attended the Planning meeting and thought there was some outside influence to keep the current lot sizes. Dale Harrison said there was some influence in the discussion and the reason given was, if you make the lot bigger then the cost for building a home goes up. He said the discussion was if you add more property then the price of the home increases. Dale said the Commission argued that you need to provide the variety that allows for affordable housing. Dale said he can see it both ways. Councilman Kitchen said the discussion of the Council has been that Naples is a rural community with rural lifestyles and that is the reason the Council has pushed to make the change. Councilman Long said a developer would definitely want the smaller lots because they can add more homes. Bret Stringham said the Council is there for the citizens. Mayor Baker said his opinion was to go up to the 100' frontage and the 12,000 square foot lots. Councilman Kitchen wanted to know how the Council makes the change when the Commission has recommended no change. Mayor Baker said the Council makes the final decision. Chris said the only other change was to bring the language in this chapter in line with the other zones regarding sidewalks. Gordon Kitchen **moved** to approve Ordinance 12-148 with the changes discussed. Kenneth Reynolds **seconded** the motion. The motion passed with a roll call vote as follows:

Robert Hall	Absent
Dan Olsen	Aye

***APPROVE CHANGES TO
LAND USE ORDINANCE
CHAPTER 02-24 R-1
RESIDENTIAL ZONE -
ORDINANCE 12-148***

Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Chris Hoem presented the proposed changes to Chapter 02-31, Subdivisions, of the Land Use Ordinance. Chris said they have discussed increasing the minimum width of asphalt in subdivisions to forty feet. Chris said the Planning Commission wanted to allow for a narrow width in an R-3 zone. He said they wanted to be able to have streets with no parking allowed and they could go down to twenty-six feet asphalt width. Councilman Olsen mentioned all the RV and boat parking you get with any subdivision. Dale Harrison said the high density requires them to have an RV area. Mayor Baker said it should be noted in the Ordinance that there would be no on street parking and all recreational vehicles would have to be parked in a certain area. There was a discussion about visitor parking. Mayor Baker wanted to know if they should still require the wider street in high density. Dale Harrison said if you allow on street parking in a high density area you will have children run over. He said that is the reason for the narrower road, so you don't have people park on the street. He said they want the high density to be more for foot traffic. Mayor Baker said it's hard to solve all the problems. Councilman Kitchen said when you have high density you are going to get crews living in one home and everyone needing somewhere to park a company truck. Chief Watkins said whenever you have subdivisions you are always going to be dealing with people parking their cars or recreational vehicles on the street. Mayor Baker thought any time you have a narrow road you are going to be asking for trouble. Chris Hoem said they could take out the allowance for a narrower road in a high density subdivision. Councilman Reynolds wanted to know if that meant the minimum road width everywhere would be forty feet. Chris said they would need to take out the definition for "street, high density residential." Chris said another thing they worked on was changing what was required on a plat under the title block. Chris said they also clarified the language under the drainage system plans in a subdivision. Chris said they cleared up what was required for water that naturally runs through a development or subdivision and engineering a storm drainage system that would retain on-site storm water for a twenty-four hour, 100 year storm over the impervious area. He said an engineer should be able to judge the storm water retention needs for a development and this change allows them to do that. Councilman Olsen wanted to know how they were going to

***APPROVE CHANGES TO
LAND USE ORDINANCE
CHAPTER 02-31
SUBDIVISIONS -
ORDINANCE 12-149***

take care of existing irrigation lines that will run through developments or subdivision and what will happen when the irrigation lines need to be drained in the fall. Chris wanted to know if the water routing requirement would take care of that. Councilman Olsen said it isn't storm water he's talking about, it is existing irrigation lines. Chris wanted to know if there were already state laws that protected these. Councilman Olsen said yes but when you start to build a subdivision over the top of an irrigation line then you run into problems and the Ordinance needs to address existing irrigation lines. Chris said he isn't an expert on this and was open to suggestions. Craig said they need to add something to the Ordinance dealing with irrigation lines. Mayor Baker said they don't have to make the decision on this tonight but would like to see the Planning Commission come up with some provisions to address this. Chris said another change they made was to require a copy of the plat to be filed with the Uintah County Surveyor's office as well as the County Recorder's office. Chris said a lot of times surveyor's check with the County Surveyor and not the County Recorder. Chris said they also added examples of all the signature blocks that might be required. Mayor Baker questioned the requirement of having a City surveyor sign off on another surveyor's certificate. Mayor Baker said he didn't have a problem with having another surveyor check the survey but didn't want it to be a requirement that they certify it. Mayor Baker said he also had a problem with the owner's dedication of existing roads. He said he had no problem with any new roads but he didn't want to see it on single lot splits. He didn't see the need on established right-of-ways. Craig said he would agree if the County Recorder would put the sixty-six-foot easement on the ownership plat but they won't do it. Mayor Baker said they could make an owner mark on the plat marking the right-of-way when they do a single lot split and file that with the County Recorder. Craig said a home owner goes back to the ownership plat when and the right-of-way is not shown. Mayor Baker said the City could make it a requirement that a surveyor marks the right-of-way on a plat when it is subdivided. Chris said the City Attorney recommended making this a requirement in case the City ever wanted to widen the road then there would be no dispute over who owns the property. Mayor Baker said there shouldn't be a dispute because it is an established right-of-way. Craig said they need to make sure the Ordinance says there is an established sixty-six-foot easement or right-of-way and it is recognized as such. Chris wanted to know if they wanted him to remove the second paragraph of section 02-31-018

requiring dedication of the road for a single lot split. Dan Olsen **moved** to adopt Ordinance 12-149 with the modifications as discussed. Dennis Long **seconded** the motion. The motion passed as follows:

Robert Hall	Absent
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Craig Blunt said he handed out a salary schedule with their packets but he has since put together a comparison with Vernal City, Uintah County, and Vernal City. Chief Watkins also had a schedule comparing just the police department positions. Chief Watkins also wanted them to know that the job that Kimberly Kay performs is different from other areas because she does crime scene investigation and is a certified evidence technician so they also contacted the Unified Police Department for those figures. Councilman Kitchen wanted time to review this before making any kind of decision about adopting it. This discussion will be brought back at the next meeting. No action was taken.

***REVIEW AND APPROVE
2012 SALARY SCHEDULE***

Recreation District - Councilman Kitchen had nothing to report.

***SPECIAL SERVICE
DISTRICT AND
ADMINISTRATIVE
UPDATES***

Animal Control SSD - Councilman Olsen wanted to know about the unified animal control ordinance. Craig said he sent it to Dennis Judd, who gave his recommendations, and sent that back to the District. Councilman Olsen said he didn't think the District had received it. He also stated that Tina from the Animal Shelter would like to be in attendance at the meeting when the Council discusses the Ordinance and would also like to come and give a presentation to the Council. Nikki recommended that she come to the December meeting.

Councilman Hall was not in attendance to report on the Fire Suppression District or the Health Services District.

Impact Mitigation SSD - Councilman Long said the Impact Mitigation District just completed their audit and it showed they were in good shape.

Road Department - Jim Harper wanted to know if the

Council would open the budget and consider putting in money to have the sander cleaned. He said it was talked about but the funds were never budgeted. He said he needs a way to get the salt off the truck and attachments so they don't corrode. Jim said he would like the funds to be able to take the truck to a business where they could wash the truck. Nikki Kay said if he was thinking about using Superior Undercarriage Wash he might need to check because it looks like the business is closed. Jim said they might need to consider building a platform in order to reach the top of the truck. Mayor Baker asked Jim to find out what Vernal City does for their trucks and bring that back to Council

Jim said they are also updating the "no parking" signs near the golf course. It was recommended that Jim go through the process to get stop signs for Ironwood and Sunstone subdivisions. Jim said he has also had a problem with a land owner in Ironwood with taking down one of the City's street signs.

City Planner - Chris Hoem told the Council that he attended the GIS Conference in August and found it very interesting and learned how powerful the program can be. Chris said the City has a basic license and the County has a more advanced one. Chris said there is potential there to do a lot of mapping and data analysis. Connie Patton wanted to know if the irrigation lines could be mapped. Craig said they could also use it for hydrants, signs, sewer lids, etc. Chris said the ULCT conference and the APA conference were also very informational.

Police Chief - Chief Watkins had nothing at this time.

Planning & Zoning - Dale Harrison was in attendance so Mayor Baker asked if he had anything with the Planning Commission. Dale said the only issue he had was with the street lights in Pheasant Run Subdivision not working. Craig said they are aware of that and it should be corrected as the Subdivision expands.

City Administrator - Craig Blunt wanted the Council to know that it is a requirement for small cities to have a Storm Water Prevention Plan. Craig said cities also need to have a sewer and water plan in place and he will be checking with Ashley Valley Water & Sewer about that. Craig said he attended a meeting about water sheds and found out that the only water shed protection plan is held by Ashley Valley

Water & Sewer. Craig said that Vernal City and Uintah County are working on getting theirs in place. Craig also reported that the testing for the mining operation has taken place.

Mayor Baker said he spoke with Commissioner McKee and they have received the City's letter about protecting Ashley Spring. Commissioner McKee said they want to read it into the Commission minutes.

Dale Harrison said he asked Chris Hoem to try and coordinate something with the police department and the road department regarding snow removal and to get something into the Land Use Ordinance. He said they would like to make it easier for the road department to do snow removal but he doesn't want to make it an enforcement nightmare for the police department. Mayor Baker thought they might be able to put something into a newsletter. Chief Watkins said something that has worked in other cities is to put an informational flyer on parked cars letting them know not to park on the road during snow removal season. Mayor Baker said they would need to come up with a date and then get that information out.

Mayor Baker wanted to remind the Council of the Governor's Energy Summit coming up in January. He said the conference is now open for registration and told the Council if anyone is interested in attending with him to get with Nikki before November 30.

***OTHER MATTERS AND
FUTURE COUNCIL
MATTERS***

Councilman Long asked what the rules were for people going around buses on 2500 South. Chief Watkins said if the bus is stopped with the lights on then vehicles both ways are required to stop. Councilman Long said they had an incident in front of his home where a vehicle went around the bus while stopped. Chief Watkins said the bus drivers are usually very good at letting them know when there is a problem and they also try and keep track of the buses in the mornings.

With no other business before the Council, Dan Olsen **moved** to adjourn the meeting at 10:15 p.m. Dennis Long **seconded** the motion. The meeting was adjourned.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 8th DAY OF NOVEMBER 2012

BY: _____

ATTEST: _____